

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOAN AUFDERHEIDE,

Plaintiff,

V.

DENISE HACKER, et al.,

Defendants.

No. 4:22-CV-627 AGF

MEMORANDUM AND ORDER

Plaintiff moves for appointment of counsel. After considering the motion and the pleadings, the motion is denied without prejudice.


There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

At this juncture of the proceedings, the Court finds that although there is the possibility plaintiff has non-frivolous allegations in her complaint. However, she has demonstrated at this point, that she can adequately present her claims to the Court. Additionally, neither the factual nor the legal issues in this case are complex. Plaintiff's motion for appointment of counsel will therefore be denied at this time.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [ECF No. 3] is **DENIED** at this time.

Dated this 14th day of June, 2022.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE